UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,110	06/22/2001	Jagadish Bandhole	020706-000510US	7964

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EXAMINER
SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
09/888,110</td><td>Applicant(s)
BANDHOLE ET AL.</td></tr>
<tr><td>Examiner
Kristie Shingles</td><td>Art Unit
2141</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 June 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claims 1-24 are pending.

Priority

1.   Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 120.

The certified copy has been filed in Provisional Application No. 60/249,028, filed on

11/14/2000.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims **1-11 and 13-24** are rejected under 35 U.S.C. 102(b) as being anticipated by

Ansberry et al (USPN 5,887,170).

a.   **Per claim 1**, *Ansberry et al* teach a method for collaborative computing in a

system including a dynamic computing environment, at least one resource in the dynamic

computing environment, a first user interface and a second user interface, the method

comprising:

- allocating resources of the dynamic computing environment through the first user interface (Abstract, col.2 lines 25-33, col.4 lines 1-9, col.7 lines 44-65 and Fig.1; resources are allocated from the server for allowing cooperative use to multiple users via user interfaces);

- sharing the at least one resource between the first user interface and the second user interface (col.3 lines 18-34; applications/resources can be cooperatively shared among multiple users);

- executing an application on the at least one allocated resource using either the first user interface or the second user interface (Abstract and col.3 lines 29-47; executing applications for the requested resources between multiple servers and users via user interfaces);

- transferring information generated by execution of the application to the first user interface (Abstract; upon the execution of an application, information in the form of responses are transferred per request from the particular user); and

- transferring the information generated by execution of the application to the second user interface in response to a command to collaborate with the second user interface (col.8 lines 14-31; example exhibits the ability to transfer data from an executed application to other user interfaces in a collaborative manner).

b.   **Claims 5 and 18** are substantially similar to claim 1 and are therefore rejected under the same basis.

c.   **Per claim 2,** *Ansberry et al* teach the method of claim 1, further comprising modifying the information in the first user interface by interacting with the at least one shared resource through the first user interface (col.6 lines 13-38 and col.7 line 66-col.8 line 13; examples exhibits modifying the information in a user interface by interacting with a helper for troubleshooting a shared application).

d.   **Claim 9** is substantially similar to claim 2 and is therefore rejected under the same basis.

e.   **Per claim 3,** *Ansberry et al* teach the method of claim 1, further comprising modifying the information in the second user interface by interacting with the at least one shared resource through the second user interface (col.5 lines 36-64 and col.7 line 66-col.8 line 31; example exhibits modification of information in the second user interface by interacting with

shared design software—where each user is able to work on the design from individual workstations and all are able to view the simulation results).

f.   **Claim 10** is substantially similar to claim 3 and is therefore rejected under the same basis.

g.   **Per claim 4**, *Ansberry et al* teach the method of claim 1, further comprising switching control to modify the information between the first and second user interface (col.7 line 66-col.8 line 31; example exhibits switching control between the user and the helper to modify the information or switching control between multiple users in a team conference configuration to fix design problems or to add design modifications).

h.   **Claim 11** is substantially similar to claim 4 and is therefore rejected under the same basis.

i.   **Per claim 6**, *Ansberry et al* teach the method of claim 5, further comprising controlling the resource computer with the first user computer (col.4 lines 30-55; the first user computer—initiating the conference—has a corresponding server that becomes the master server and thus whichever user computer—first or second—requests a conference from the server will therefore have the corresponding master server which controls the conference while also acting as the initial input focus computer).

j.   **Claim 7** is substantially similar to claim 6 and is therefore rejected under the same basis.

k.   **Per claim 8**, *Ansberry et al* teach the method of claim 5, further comprising switching control of the resource computer between the first and second user computers (col.3 lines 21-28, col.4 line 51-49 and col.8 lines 5-10; the role of the input focus server can be

switched among different user computers of the conference, but only one input focus per application in the conference; the input focus computer implicitly controls the resource computer since it's the only computer with permissible input interaction to the resource's application).

l.   **Claim 21** is substantially similar to claim 8 and is therefore rejected under the same basis.

m.   **Per claim 13,** *Ansberry et al* teach the method of claim 5, wherein the shared software process is a user interface controller (col.4 lines 50-67, col.5 lines 35-49 and col.6 lines 27-38; the key press or button event—indicative of a keyboard user interface controller—is a software process collaboratively shared among the participants of a conference, wherein whichever user is in control of the input focus server at the time may have access to input data to the application via key press or button event).

n.   **Per claim 14,** *Ansberry et al* teach the method of claim 5, further providing for sharing of a plurality of software processes (col.5 lines 12-22 and col.7 lines 60-65; sharing of different applications inherently includes software processes).

o.   **Per claim 19,** *Ansberry et al* teach the system of claim 18, wherein the dynamic computing environment is remotely located from the second and third location (col.3 line 66-col.4 line 29; the conference enabler may be remotely located from the user computers).

p.   **Per claim 20,** *Ansberry et al* teach the system of claim 18, wherein the second location is remotely located from the third location (col.8 lines 1-31; example demonstrates separate user workstations for each of the conference participants, thus remote locations of the user computers are inherent in the system's embodiment).

q.   **Per claim 16**, *Ansberry et al* teach the method of claim 5, wherein the system is used in technical support (col.7 line 66-col.8 line 31; the usability of the system extends to collaborative and non-collaborative distributed computing environments where a conferencing session may be manipulated, thus the examples demonstrate technical support and teamwork situations which may also be implemented in training or usability studies).

r.   **Claims 15, 17, 23 and 24** are substantially equivalent to claim 16 and are therefore rejected under the same basis.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim **12** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Ansberry et al* in view of *Novaes et al* (USPN 6,807,557).

Per claim 12, *Ansberry et al* teach method of claim 5 as applied above, yet fail to explicitly teach the method of claim 5, wherein the shared software process is an operating system. However, *Novaes et al* teach management of a cluster system that involves sharing software processes, including operating system instances (col.1 lines 50-58 and col.3 lines 39-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ansberry et al* and *Novaes et al* for the purpose of extending the usability of the dynamic collaborative system to share operating system resources, because it would offer application usability and compatibility by providing a common operating system across the platforms of the shared devices. It would also extend the implementation to incorporate a distributed computer/cluster-like environment where operating system resources are shared among a plurality of nodes.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.   *Wright* (USPN 6,204,847) discloses a shared virtual desktop collaborative application system.

b.   *Logston et al* (USPN 6,687,735) disclose a method and apparatus for balancing distributed applications.

c.   *Klemm et al* (USPN 6,216,237) disclose distributed indirect software instrumentation.

d.   *Curtis et al* (USPN 6,338,086) disclose collaborative object architecture.

e.   *Cheng et al* (USPN 6,731,314) disclose a network-based three-dimensional multiple-user shared environment apparatus and method.

f.   *Dye et al* (USPN 6,802,053) disclose a graphical programming system with distributed block diagram execution and front panel display.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER